

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF LOUISIANA**  
**LAKE CHARLES DIVISION**

**JEAN FRANGEL MENELAS** : **DOCKET NO. 2:06-cv-0044**  
 : **Section P**

**VS.** : **JUDGE MINALDI**

**JOE P. YOUNG, ET AL.** : **MAGISTRATE JUDGE WILSON**

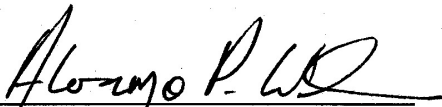
**ORDER**

Currently before the court is a "Motion Request to be Released from Detention" [doc. 15] filed by *pro se* petitioner, Jean Frangel Menelas. By this motion, Petitioner seeks to have the court order his immediate release from post-removal-order custody.

A review of the facts of this case reveals that Petitioner is under a final order of removal and that his *habeas corpus* petition before this court challenges his detention in immigration custody. Having determined that an evidentiary hearing is necessary for the adjudication of this *habeas corpus* petition, the court has set an evidentiary hearing in this matter for May 17, 2006. Because a determination regarding the constitutionality of petitioner's continued detention requires further development of the facts surrounding his detention and the likelihood of his removal in the reasonably foreseeable future, this court finds that ordering Petitioner's release at this time would be premature and possibly unjustified. Accordingly,

IT IS ORDERED that the motion be DENIED.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 20<sup>th</sup> day of March, 2006.

  
ALONZO P. WILSON  
UNITED STATES MAGISTRATE JUDGE